

1 James T. Walker
2 P.O. Box 9301
3 109 Maher Court
4 Vallejo, CA 94591
5 Tele: (707) 315-3310

FILED

AUG 15 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

E-Filed

6 Plaintiff,
7 JAMES T. WALKER
8 in *pro per*

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
CIVIL JURISDICTION

JAMES T. WALKER,

Case Number: C07-3100 BZ

Plaintiff,

PLAINTIFF'S DECLARATION IN
SUPPORT OF MOTION FOR
APPOINTMENT OF COUNSEL

vs.

C & H SUGAR, et. al.,

Date: _____

Defendants.

Time: _____

Court Room: G

DECLARATION

1. I, JAMES T. WALKER, am the Plaintiff in the within action. If called to testify I would do so in conformity herewith. I declare under penalty of perjury under the laws of the state of California that the statements that follow are true of my own knowledge except as to those matter stated under information and belief and as to such matters I believe the same to be true. Also, the Exhibits attached hereto are what they purport to be.

2. On or about May 2, 2002 I was struck in the head and injured by a backhoe which I am informed and believe was owned and operated by C & H Sugar. I have been totally disabled since this happened. Among my injuries, I have post-concussion symptoms, with severe chronic headaches, ataxia, and short term memory loss. I do not believe I can conduct a trial due to my

1 symptoms.

2 3. At the time this happened I heard the backhoe operator shout that the backhoe
3 "malfunctioned." Under information and belief, if the operator is correct, that there is a probability
4 of my prevailing on the merits of my claim.

5 4. I quit school in the 8th grade. I have not gone to college. I do not understand legal words
6 and I do not believe that I could state things properly in court.


7 5. I am not employed and I am receiving social security disability. I can not afford to hire an
8 attorney. I can not afford to pay for things necessary in a trial.

9 6. I have consulted with three attorneys and telephoned a lot more. Although I've tried to
10 find an attorney to represent me I have not been able to.

11 7. My symptoms are painful and sometimes make me angry and frustrated. I believe that if I
12 tried the case myself, my anger and frustration would make the jury go against me.

13 This Declaration is executed in Alameda County on the date below.

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15 Date 8-15-08

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18 James T. Walker
19 Plaintiff in *pro per*
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Discrimination based on the fact that Employer and Union maintain policies concerning what action is to be taken when someone suffers the degree of injury such as J.T. and failed to engage those policies as to J.T. In other words, other persons were treated differently and better.

BANNING MICKLOW & BULL LLP
ATTORNEYS AT LAW

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Eugene A. Brodsky
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Direct Line: 415-624-0705
E-mail: ebrodsky@banningmicklow.com

AUG -5 AM 11:00
SAN DIEGO
SAN FRANCISCO
AMERICAN SAMOA
LONDON
RICHARD M. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

August 4, 2008

VIA FACSIMILE

Hon. Bernard Zimmerman
United States Magistrate Judge
450 Golden Gate Ave. 16th Floor
San Francisco, CA 94102

Re: Walker v. C&H Sugar, et. Al.
Case No. C07-03100 BZ

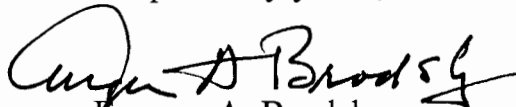
Handwritten: EAB, 8/15/08

Dear Judge Zimmerman:

Mr. James Walker was referred to me by the Lawyer Referral and Information Service of the Bar Association of San Francisco and was seen on July 28, 2008. After review, the firm has decided not to represent Mr. Walker in this matter.

At Mr. Walker's request, we respectfully ask the court to continue the Case Management Conference scheduled for August 11, 2008 for an additional two months. We understand that Mr. Walker will make every effort to retain counsel within that time period.

Respectfully yours,


Eugene A. Brodsky

EAB/jw

cc: Rachel S. Hulst, Esq.
Epstein, Becker & Green, P.C.
Attorneys for C&H Sugar Company, Inc.

James Troy Walker

SANFORD M. CIPINKO
JEREMY CLOYD
YULIYA MAGOMEDOV

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May 22, 2008

James Troy Walker
P.O. Box 9301
Vallejo, CA 94591

Re: **Potential Discrimination and Personal Injury Case**

Dear Mr. Walker:

Thank you for contacting us regarding the suit you filed in June of 2007 regarding your personal injury and discrimination claims. Upon reviewing your case, discussing it with the other attorneys, and examining our trial schedule, we would be unable to give your case the attention it deserves. Therefore, we will not be able to represent you. Enclosed, please find the duplicate copy of all documents given to our office. Please be advised that you retained the original copy of all documents, and the enclosed files are a photocopy.

Thanks again for considering our office. We wish you best of luck with your case.

Sincerely,
LAW OFFICES OF SANFORD M. CIPINKO

A handwritten signature in black ink, appearing to read "Sanford M. Cipinko", enclosed within a simple, hand-drawn oval border.

Sanford M. Cipinko



ATTORNEYS AT LAW

Ismail J. Ramsey, *Partner*
(510) 548-3600
Fax No.: (510) 291-3060
izzy@ramsey-ehrllich.com

June 11, 2008

Mr. James T. Walker
PO Box 9301
109 Maher Court
Vallejo, CA 94591

Via Hand Delivery

Re: Your request for representation in *JT Walker v. C & H Sugar*, C 07-3100 BZ

Dear Mr. Walker,

Tyler Meade and I enjoyed speaking with you over the past couple weeks. I am sorry that neither our firm nor Meade & Schrag LLP can represent you in your case, *JT Walker v. C & H Sugar*, C 07-3100 BZ. This decision is based on internal considerations and is not intended to be a comment on the strength of your case. I encourage you to consult with other lawyers; one may be willing to take on your case. I have notified Rachel Hulst, C & H's attorney that we will not represent you.

I have returned to you all of the documents that you have given to us, and we have not kept any of your papers.

I repeat again that we have not taken this case. We will not do any work on it and have not accepted any professional responsibility for the matter.

Good luck,

A handwritten signature in black ink, appearing to read "Ismail J. Ramsey".

Ismail J. Ramsey

4091



Kaiser Permanente Medical Center

March 28, 2007

RECEIVED

JUL 10 2007

SSA

ILWU-PMA Welfare Plan
1188 Franklin Street, Suite 300
San Francisco, CA. 94109

RE: WALKER, JAMES T.
MR# 09733358

To Whom It May Concern:

I am currently following Mr. James T. Walker in the Medical Clinic at this facility.

On 5-01-02, Mr. Walker sustained a traumatic brain injury while performing his work duties as a longshoreman. He was subsequently followed in the Occupational Medicine Clinic here for post-concussive syndrome.

Since the injury, Mr. Walker has continued to suffer from post-concussive symptoms, including severe headaches, ataxia, memory problems, etc. He has been unable to work since 5-01-02, and he is permanent/stationary disabled from his longshoreman work and any other work.

I hope this information will be helpful to you. If I can be of any further assistance, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Deepa M. Savani".

Deepa M. Savani, M.D.
Department of Medicine

DMS:ceh/ceh

April 2, 2006

To Whom It May Concern:

Mr. James T. Walker has asked to comment on his psychological condition.

Mr. Walker has been in treatment w/ me for sometime w/ a diagnosis of Adjustment Disorder w/ Mixed Emotional Features, which involves his attempt to deal w/ chronic head & neck pain, recurring dizziness, and physical disability which has required him to stop working.

I do not believe that his primary disability or the primary damage due to his accident is psychological. Chronic pain & dizziness do appear to be serious disabling consequences of his injury.

Please contact me should you desire additional information.

Sincerely,
Keith H. Schroder PhD

1 I N D E X
2 DEPOSITION OF CHARLES MARMAR, M.D.
3 Thursday, April 19, 2007
4

5	EXAMINATION BY:	Page
6	MS. THEOFEL	4
7	MR. WELTIN	46
8	FURTHER EXAMINATION BY:	
9	MS. THEOFEL	48

10

11 E X H I B I T S

12	Exhibit	Description	Page
13	1	Document entitled	32
14		"Clinician-Administered PTSD	
15		Scale for DSM-IV"	

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5 Charles Marmar, M.D.
UCSF VA Hospital
6 4150 Clement Street, Room 3201, Building 8
San Francisco, California 94121

7
8 Re: Walker vs. Marine Terminals Corp., et al.
Your deposition taken Thursday, April 19, 2007
Reported by Karen Scott, CSR No. 4027

9 Dear Dr. Marmar:

10 Your deposition taken in the action referenced above
11 is now available for your review, correction if
necessary, and signature. If it is more convenient,
12 you may read your attorney's copy of the deposition

in

lieu of visiting our office.

13

Under applicable law, if you do not read, correct,

and

14 sign the deposition within 35 days of the date of

this

letter, it may be used with the same force and effect
15 as though you had signed it. Please be advised that
this office is not authorized to extend the 35-day
16 deadline.

17

18 Very truly yours,

19

20 KELTY & SCOTT LLC
Certified Shorthand Reporters
21 541 Jefferson Avenue, Suite 102
Redwood City, California 94063
22 650.366.3008

23 cc: Original
All counsel

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25

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KELTY & SCOTT LLC (650) 366-3008

1 I, CHARLES MARMAR, M.D., have read my proceedings
transcript consisting of the preceding pages, taken

on

2 Thursday, April 19, 2007, and I certify that:

3 (Check one)

4 _____ I have no corrections.